



City Council Agenda

Council President
Ken Steitz

Councilmembers

Tom Boyajian
Garry Bredefeld
Chris Mathys, Acting Council President

Henry Perea
Sal Quintero
Daniel Ronquillo

City Manager
Jeffrey M. Reid

City Clerk
Rebecca E. Klisch

City Attorney
Hilda Cantú Montoy

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 498-1321

The City Council welcomes you to this meeting.

TUESDAY, MARCH 9, 1999

IF YOU WOULD LIKE TO SPEAK, FILL OUT A SPEAKER REQUEST FORM AVAILABLE FROM THE CITY CLERK'S OFFICE AND IN THE COUNCIL CHAMBERS. THE AGENDA IS AVAILABLE ON (www.ci.fresno.ca.us). THE COUNCIL MEETING CAN ALSO BE HEARD LIVE AT THE SAME WEB SITE ADDRESS.

9:00 A.M. Council Roll Call

Invocation by Pastor Dean Rutherford, Northside Christian Church

Pledge of Allegiance to the Flag

Proclamation of "MEDIATION WEEK"

Proclamation of "ARBOR DAY"

Proclamation of "TOWER DISTRICT MARKETING COMMITTEE DAY" - Councilmember Boyajian

Proclamation of "LARRY SHEHADEY DAY" - Recipient of the Peters Award - Councilmember Ronquillo

Resolution of Commendation to the Chicano Youth Center - Councilmember Ronquillo
Proclamation of "MS. PAT BARR DAY", Duncan Polytechnical High School - Council President Steitz
Presentation of Proclamation to Fresno Police Chaplain Dale Mc Neil - Mayor Patterson

Proclamation of "CAROL ROBERSON DAY", Middle School Teacher of the Year- Councilmember Bredefeld

Resolution of Commendation to Kastner Leadership Students - Councilmembers Bredefeld and Mathys

Resolutions of Commendation to Local Businesses Who Have Contributed to Establishment of a Neighborhood Policing Station in Pinedale - Acting President Mathys

COUNCIL ACTION OF UNSCHEDULED ITEMS, IF ANY, SHALL BE LIMITED TO REFERRING THE ITEM TO STAFF FOR A REPORT AND POSSIBLE SCHEDULING ON A FUTURE COUNCIL AGENDA FOR EACH MATTER CONSIDERED BY THE COUNCIL, THERE WILL FIRST BE A STAFF PRESENTATION, FOLLOWED BY A PRESENTATION FROM THE PROJECT APPLICANT. TESTIMONY FROM THOSE IN ATTENDANCE WILL THEN BE TAKEN. ALL TESTIMONY GIVEN WILL BE LIMITED TO THREE MINUTES PER PERSON.

THE THREE LIGHTS ON THE PODIUM NEXT TO THE MICROPHONE WILL INDICATE THE AMOUNT OF TIME REMAINING FOR THE SPEAKER. THE GREEN LIGHT WILL BE TURNED ON WHEN THE SPEAKER BEGINS. THE YELLOW LIGHT WILL COME ON WITH ONE MINUTE REMAINING AND ONE TONE WILL SOUND. THE SPEAKER SHOULD BE COMPLETING THE TESTIMONY BY THE TIME THE RED LIGHT COMES ON AND TWO TONES SOUND, INDICATING THAT TIME HAS EXPIRED.

Approve Council minutes of March 2, 1999

Action Taken:

Approve Agenda

Action Taken:

Adopt Consent Calendar

Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS

- 9:30 A.M.** Approval of resolutions relating to expansion of the Fresno Enterprise Zones
- a. **RESOLUTION** - Adding PPG Industries, Inc., in the proximity of S. Peach and E. North Avenues to the Fresno Enterprise Zone (*City and County action*)
Action Taken:
 - b. **RESOLUTION** - Adding United Parcel Service in the proximity of S. McKinley Avenue and Freeway 99 to the Fresno Enterprise Zone (*City action*)
Action Taken:
 - c. **RESOLUTION** - Adding Certified Ad Services in the proximity of W. Nielsen and S. Teilman Avenues to the Fresno Enterprise Zone (*City action*)
Action Taken:
 - d. **RESOLUTION** - Adding Pleasant Mattress Company in the proximity of W. McKinley and S. Teilman Avenues to the Fresno Enterprise Zone (*City action*)
Action Taken:

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

- e. **RESOLUTION** - Adding Pappy's Fine Foods in the proximity of E. Fountain Way and N. Sabre Avenue to the Fresno Enterprise Zone (*City action*)
Action Taken:
- f. **RESOLUTION** - Adding the Fresno Yosemite International Northside Industrial Park in the proximity of N. Peach and E. Dakota Avenues to the Fresno Enterprise Zone (*City action*)
Action Taken:
- g. **RESOLUTION** - Adding the Fresno Yosemite International Air Cargo area in the proximity of the Shields Avenue diagonal between E. Shields and E. Dakota Avenues, to the Fresno Enterprise Zone (*City action*)
Action Taken:
- h. **RESOLUTION** - Adding the Fresno Air Terminal Redevelopment Area (FATRA), in the proximity of N. Clovis and E. Clinton Avenues to the Fresno Enterprise Zone (*City action*)
Action Taken:

10:00 A.M. WORKSHOP on strategies for adopting Urban Growth Boundary (UGB) limits
Action Taken:

11:00 A.M. DISCUSSION OF CONTESTED CONSENT ITEMS (IF ANY)

12:00 P.M. JOINT MEETING with Fresno Metropolitan Flood Control District (*FMFCD*)
(*Meeting Room "A"*)
Action Taken:

1A. GENERAL CONSENT CALENDAR

(ALL CONSENT CALENDAR ITEMS ARE CONSIDERED TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS REQUESTED, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT CALENDAR AND CONSIDERED AT 11:00 A.M.)

- 1. * **RESOLUTION** - 11th amendment to the Salary Resolution No. 98-161, amending the upper limit of the E-3 Executive Pay Range
Action Taken:
- 2. Approval of service extension past age 60 for Firefighter Specialist William L. Fiori
Action Taken:
- 3. **RESOLUTION** - Authorizing an application to the Department of Conservation, Division of Recycling for grant funds for a Recycling Education Program for beverage containers
Action Taken:

1A. GENERAL CONSENT CALENDAR CONTINUED

**ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION*

4. **RESOLUTION** - Dedicating certain City-owned property for public street purposes, property located at West and Jensen Avenues
Action Taken:
5. **RESOLUTION** - Dedicating certain City-owned property for water main purposes, property located on the west side of Fresno Street south of Shields Avenue
Action Taken:
6. Award a requirements contract for laboratory services for analysis of water, wastewater, and biosolids
Action Taken:
7. Award a contract to construct well site improvements at Pump Station Nos. 14A, 68, 102, 219, and 220
Action Taken:
8. Extension of a Temporary Use Permit issued by the City to Globe Aviation Security Services, Inc., to occupy premises at Fresno Yosemite International Airport (FYI)
Action Taken:
9. **RESOLUTION** - Accepting the grant offers from the Federal Aviation Administration (FAA) for Airport Improvement Program (AIP) Project No. 3-06-0087-29 and any subsequent FAA FY99 annual entitlement or discretionary, grants offered prior to the end of the 1999 Federal Fiscal Year
Action Taken:

1B. **CONSENT CALENDAR - BILLS FOR INTRODUCTION - PINK TABS**

1. * **BILL** - Amending Fresno Municipal Code Sections 2-1726 and 2-1726(A), relating to mandatory retirement age procedure
Action Taken:

2. **PLANNING AND ZONING ADMINISTRATION**

3. **GENERAL ADMINISTRATION**

- A. Status report from staff regarding foreclosure action against Fresno Pacific Towers, Inc. (Security Bank Building) (*Item to be discussed after closed session*)
Action Taken:
- B. * **BILL NO. B-11 (for adoption)** - Amending Section 8-125 of the Fresno Municipal Code relating to exposure of tobacco products to minors - Councilmembers Perea and Bredefeld (*Exempting cigar and pipe tobacco stores*) (*Alternative 2*)
Action Taken:

4. **CITY ATTORNEY**

5. **CITY COUNCIL**

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

- A. Approve reappointment of Dr. Robert Segura and appointment of Keith Kelley to the Human Relations Commission; and appointment of Alan D. Meindersee to the West Area Community Plan - Councilmember Boyajian *(For adoption)*
Action Taken:
- B. Rescind February 23, 1999, Council direction to City Manager to install speed bumps in each direction on Cole Avenue between Audubon and Millbrook Avenues - Councilmember Bredefeld
Action Taken:
- C. **RESOLUTION** - Supporting and partnering with the Fresno Unified School District in establishing after school learning programs for Fresno's children - Councilmember Perea
Action Taken:
- D. * **RESOLUTION** - 75th amendment to AAR No. 98-159 appropriating \$200 from District 3's general infrastructure capital budget to fund a portion of the rental of the Veteran's Memorial Auditorium for the Pearly-Grove Baptist Church - Councilmember Ronquillo
(Requires 5 affirmative votes)
Action Taken:
- E. Direct City Manager to obtain bids for painting of Roeding Park Locomotive and installation of a wrought iron fence. Report back to Council with bids within two weeks - Councilmember Ronquillo
Action Taken:
- F. Request City Manager to provide study of downtown parking to Council by March 16, 1999. Schedule public hearing regarding study results of downtown parking for March 23, 1999, at 5:30 p.m. - Councilmember Ronquillo
Action Taken:

6. **CITY/COUNTY INTERGOVERNMENTAL RELATIONS**

7. **CLOSED SESSION OF THE CITY COUNCIL**

- A. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION -**
Government Code Section 54956.9, Subdivision (a)
 - 1. **Case Name:** A.H.D.C., (Wellington) v. City of Fresno
 - 2. **Case Name:** Dennis Anderson v. City of Fresno
 - 3. **Case Name:** John Salveson v. City of Fresno, c/o Ross & Castillo
 - 4. **Case Name:** Jeryl Turnbull v. City of Fresno, c/o Ross & Castillo
 - 5. **Case Name:** City of Fresno v. Fresno Pacific Towers, Inc.**Action Taken:**

7. **CLOSED SESSION OF THE CITY COUNCIL CONTINUED**

- B. **CONFERENCE WITH LABOR NEGOTIATOR** - Government Code Section 54957.6

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

(Councilmember Perea)

City Negotiator(s): Jeffrey M. Reid, Jorge Aguiniga, Andrew T. Souza

Employee Organization(s): CFPEA

Action Taken:

C. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Government Code Section 54956.9, Subdivision (b)

Significant Exposure to Litigation

1. Claim of Elroe C. Darrington aka Salrahc El
2. Application for leave to file late claim by Lanice Jeanes

Action Taken:

8. **UNSCHEDULED ORAL COMMUNICATIONS** - You may address the City Council at the conclusion of the Council meeting regarding items that are not listed on the agenda. The policy is to limit your presentation to three (3) minutes pursuant to Ordinance No. 96-67. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date of appearance.

SCHEDULED COUNCIL HEARINGS AND MATTERS

Mar. 16 - 9:45 A.M. Proclamation of "National Safe Place Week" - All Councilmembers
Mar. 16 - 10:00 A.M. **HEARING** relating to weed abatement process for FY 99

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

Mar. 16 - 10:30 A.M.	HEARING to consider Plan Amendment No. A-98-24, filed by Central Pacific Investment Corp.
Mar. 16 - 11:00 A.M.	HEARING re: Rezone Appl. No. R-99-02, filed by James Logan representing Land Dynamics
Mar. 16 - 11:30 A.M.	CONTINUED HEARING re Behymer/Chestnut No. 3B Reorganization
Mar. 16 - 2:00 P.M.	Workshop on Redevelopment
Mar. 19 - 9:00 A.M.	JOINT MEETING with City of Clovis and Fresno County Board of Supervisors <i>(Convention Center Wine Room)</i>
Mar. 23 - 9:30 A.M.	Repeal of OPL for Gettysburg between Valentine and Brawley
Mar. 23 - 10:00 A.M.	Consider appeal of Environmental Assessment and introduction of Text Amendment No.TA- 98-03relating to car washes
Mar. 23 - 10:30 A.M.	HEARING on P.A. Appl. No. A-98-25, amending the Tower District Specific Plan and Fresno High Roeding Community Plan
Mar. 23 - 11:00 A.M.	HEARING on cancellation of agricultural land conservation contract
Mar. 30 - NO MEETING - CANCELED	
Apr. 6 - 10:00 A.M.	Adopt Text Amendment No.TA- 98-03 relating to car washes
Apr. 6 - 11:00 A.M.	HEARING re: P.A. No. A-98-017, Rezone Appl. No. R-98-024, filed by Storybook Homes
Apr. 6 - 11:30 A.M.	HEARING re: Community Facilities District No. 2, Annexation 11
<u>(Apr. 13 - MEETING TENTATIVELY SET TO BEGIN AT 1:00 P.M.)</u>	
Apr. 13 - 5:30 P.M.	Review of the Fresno Chandler Downtown Airport Master and Environs Specific Plan
<u>(May 25 - MEETING TENTATIVELY SET TO BEGIN AT 1:00 P.M.)</u>	
May 25 - 5:00 P.M.	CONTINUED HEARING on Text Amendment No. TA-97-09 relating to advertised structures (billboards)
June 1 - NO MEETING - MEMORIAL DAY HOLIDAY	
July 6 - NO MEETING - COUNCIL VACATION	
July 13 - NO MEETING - COUNCIL VACATION	

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***